UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,065	10/06/2003	Yasuhiko Inaba	ASA-927-02	4109

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EXAMINER
LE, MIRANDA

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/678,065	INABA ET AL.
	Examiner	Art Unit
	Miranda Le	2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10/06/03*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-11 are canceled. Claims 12-22 are pending in this application.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless:
>
> (e) the invention was described in
>
> (1) an application for patent, published under section 122(b), by another filed in the United States before
> the invention by the applicant for patent or
>
> (2) a patent granted on an application for patent by another filed in the United States before the invention
> by the applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only
> if the international application designated the United States and was published under Article 21(2) of such
> treaty in the English language.

3.   Claims 12-18, 21, 22 are rejected under 35 U.S.C. 102(e) as being anticipated by

Nishioka et al. (US Patent No. 6,457,004).

Nishioka anticipated independent claims 12, 21, 22 by the following:

As to claims 12, 21, 22, Nishioka teaches "A document retrieval method, comprising: a

user's evaluation input step for inputting a user's evaluation of a document by designating a

document retrieved in a document search conducted pursuant to a search condition" at col. 10,

line 60 to col. 11, line 31, col. 2, lines 22-52, col. 7, lines 25 to col. 8, line 13;

"a search condition storage step for, when updating said search condition on the basis of said evaluation, storing a search condition before and after the update" at col. 10, line 60 to col. 11, line 31, col. 2, lines 22-52, col. 7, lines 25 to col. 8, line 13;

"a search result storage step for storing a search result based on the search condition before and after the update" at col. 10, line 60 to col. 11, line 31, col. 6, line 67 to col. 7, line 24, Fig. 2;

"a search history storage step for storing information stored in said search condition storage step, information stored in said search result storage step, and said evaluation and an identifier of a document subjected to said evaluation by making a correspondence between them" at col. 10, line 60 to col. 11, line 31, col. 6, line 67 to col. 7, line 24, Fig. 2.

As per claim 13, Nishioka teaches "an evaluation history display step for delivering a list of documents for which the user has inputted evaluations to evaluate said documents as desirable or undesirable in the past on the basis of the information stored in said search history storage step and said evaluation for said documents" at col. 10, line 60 to col. 11, line 31, col. 8, line 3 to col. 9, line 46, col. 14, line 33 to col. 15, line 49.

As per claim 14, teaches "a search result history display step for delivering a document delivered as a search result before said search condition is updated on the basis of said evaluation even after said search condition is updated, on the basis of the information stored in said search history storage step" at col. 8, line 3 to col. 9, line 46, col. 10, line 60 to col. 11, line 31.

As per claim 15, Nishioka teaches " a search condition restoration step for restoring, of the evaluation history delivered in said evaluation history display step, a search condition before a desired evaluation is inputted" at col. 10, line 60 to col. 11, line 31.

As per claim 16, Nishioka teaches "a search condition update step for inputting an evaluation to evaluate a document delivered in said evaluation history display step as desirable or undesirable and updating said search condition on the basis of said evaluation input in said search condition update step" at col. 8, line 3 to col. 9, line 46, col. 10, line 60 to col. 11, line 31, col. 14, line 33 to col. 15, line 49.

As per claim 17, Nishioka teaches "a user evaluation erase step for erasing a desired one of said evaluations as to desirability or undesirability inputted by the user in said evaluation history display step, in accordance with a request from the user, and updating the search condition to the state available when said evaluation is not made" at col. 14, line 33 to col. 15, line 49.

As per claim 18, "a search condition update step for causing the user to input an evaluation to evaluate the document delivered in said search result history display step as desirable or undesirable so as to update said search condition on the basis of said evaluation input of said search condition update step" at col. 14, line 33 to col. 15, line 49.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5.   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishioka et al. (US Patent No. 6,457,004), in view of Hatakeyama et al. (US Patent No. 5,220,625).

As per claim 19, Nishioka does not expressly teach "a user evaluation erase step for erasing a desired evaluation as to desirability or undesirability inputted by the user and delivered in said search result history display step, in accordance with a request from the user and updating weights of strings in the search condition to the state available when said evaluation is not made". However, Hatakeyama teaches this limitation at col. 3, lines 14-23, col. 6, lines 44-63.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Nishioka with the teachings of Hatakeyama to include "a user evaluation erase step for erasing a desired evaluation as to desirability or undesirability inputted by the user and delivered in said search result history display step, in accordance with a request from the user and updating weights of strings in the search condition to the state available when said evaluation is not made" in order to provide information search terminal apparatus and system for searching information such as document data, which can afford a highly improved manipulatability to the user by saving history of searches performed in the past and making

available to the user information concerning the current system state such as results of

development of a specified search term, a set of results of the searches performed in the past

and subjected to the current search, and the mode in which the search is currently performed.

6.   Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishioka et al.

(US Patent No. 6,457,004), in view of Diamond et al. (US Patent No. 6,269,368).

As per claim 20, Nishioka does not specifically teach "a user's evaluation for a search

result document is inputted in accordance with a method for setting one or more evaluation

grades, the search condition includes weights assigned to strings and the weight of a string is

updated in accordance with a method for setting the degree of change in many grades pursuant to

said evaluation". However, Diamond teaches this limitation at col. 1, lines 45-63, col. 5, line 58

to col. 6, line 48.

It would have been obvious to one of ordinary skill in the art at the time of the invention

to modify the teachings of Nishioka with the teachings of Diamond to include "a user's

evaluation for a search result document is inputted in accordance with a method for setting one

or more evaluation grades, the search condition includes weights assigned to strings and the

weight of a string is updated in accordance with a method for setting the degree of change in

many grades pursuant to said evaluation" in order to provide an information retrieval technique

that captures both the preciseness and richness of meaning in queries and documents and allow

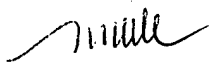for user feedback to facilitate the retrieval process.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (703) 305-3203. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax number to this Art Unit is (703) 872-9306. The TC 2100's Customer Service number is (703) 306-5631.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Miranda Le
October 15, 2004

GRETA ROBINSON
PRIMARY EXAMINER